

Exhibit 41

<p style="text-align: right;">Page 5</p> <p>1 PROCEEDINGS</p> <p>2 SHERIFF: All rise for the jury.</p> <p>3 THE COURT: All right. Everyone may be</p> <p>4 seated.</p> <p>5 We are on our court record in the matter</p> <p>6 of Donna Hayes versus Colgate and Johnson &</p> <p>7 Johnson. For the court record, our attorneys are</p> <p>8 present and in the courtroom this morning, as are</p> <p>9 the parties, as are our 14 ladies and gentlemen of</p> <p>10 the jury.</p> <p>11 Good morning. It's a little cooler</p> <p>12 outside today. Maybe you can get outside on your</p> <p>13 lunch break for a few minutes, get a little air.</p> <p>14 Anyone have any problems or issues with</p> <p>15 the Court's admonishments over the evening recess?</p> <p>16 Hopefully they're used to the routine at home,</p> <p>17 that you're coming home and not talking. I know</p> <p>18 it's a lot to have that rattling around in your</p> <p>19 head. Certainly when you're dismissed to</p> <p>20 deliberate, you'll be able to discuss it with each</p> <p>21 other, and then when you're finished with your</p> <p>22 service you'll be able to discuss it at home.</p> <p>23 When we recessed yesterday, plaintiffs</p> <p>24 were still putting on proof, so I'm going to</p> <p>25 invite Mr. Satterley to call his next witness.</p>	<p style="text-align: right;">Page 6</p> <p>1 MR. SATTERLEY: Thank you. Good</p> <p>2 morning, everyone. At this time the plaintiffs</p> <p>3 call Dr. William Longo.</p> <p>4 THE COURT: And if you would, Doctor,</p> <p>5 just come forward to the chair here in the front</p> <p>6 of the courtroom, please.</p> <p>7 THE WITNESS: Yes, ma'am.</p> <p>8 THE COURT: All right. I'm going to</p> <p>9 ask you to raise your right hand for me.</p> <p>10 (OATH ADMINISTERED)</p> <p>11 THE COURT: All right. If you would,</p> <p>12 please, answer Mr. Satterley's questions. You</p> <p>13 sound like you have a nice voice. I'll just ask</p> <p>14 you to keep it up so that the ladies and gentlemen</p> <p>15 of our jury can hear you.</p> <p>16 THE WITNESS: Yes, Your Honor.</p> <p>17 DIRECT EXAMINATION</p> <p>18 BY MR. SATTERLEY:</p> <p>19 Q. Please introduce yourself to the</p> <p>20 ladies and gentlemen of the jury.</p> <p>21 A. My name is Bill Longo. I live in</p> <p>22 Alpharetta, Georgia, which is just one of the many</p> <p>23 suburbs that ring Atlanta.</p> <p>24 Q. And are you a material scientist?</p> <p>25 A. Yes, sir, I am.</p>
<p style="text-align: right;">Page 7</p> <p>1 Q. And I'm going to go through what</p> <p>2 that is and what you've done over your career in a</p> <p>3 few minutes.</p> <p>4 Have I asked you to come here and assist us</p> <p>5 in explaining issues of testing, testing products</p> <p>6 for the presence of asbestos?</p> <p>7 A. Yes, sir.</p> <p>8 Q. And have you tested specifically</p> <p>9 Johnson & Johnson products, talc products, for the</p> <p>10 presence of asbestos?</p> <p>11 A. Yes. Our laboratory has.</p> <p>12 Q. And have you documented and</p> <p>13 photographed asbestos in the Johnson & Johnson</p> <p>14 products?</p> <p>15 A. Yes, we have.</p> <p>16 Q. Have you also examined the</p> <p>17 Colgate-Palmolive products for the presence of</p> <p>18 asbestos?</p> <p>19 A. We have.</p> <p>20 Q. And have you done that and</p> <p>21 photographed evidence that we can go over today,</p> <p>22 photographic evidence showing asbestos in the</p> <p>23 Cashmere Bouquet product?</p> <p>24 A. Yes, sir.</p> <p>25 Q. In addition, did I ask you to</p>	<p style="text-align: right;">Page 8</p> <p>1 evaluate the case of Donna Hayes with regards to</p> <p>2 exposures to asbestos from these products?</p> <p>3 A. Yes, you have.</p> <p>4 Q. And what opinions have you</p> <p>5 developed?</p> <p>6 A. That over her lifetime that she was</p> <p>7 -- that she used, according to her testimony,</p> <p>8 primarily Cashmere Bouquet and Johnson & Johnson</p> <p>9 talcum powders. In my opinion, more than likely</p> <p>10 than not, she was exposed to regulated asbestos</p> <p>11 from the use of those products.</p> <p>12 Q. And do you have an opinion that</p> <p>13 that exposure was a substantial exposure over</p> <p>14 those many decades?</p> <p>15 A. Yes, sir.</p> <p>16 Q. Let's take a step back and talk</p> <p>17 about you, Dr. William Longo.</p> <p>18 You've got a resume or a CV, correct?</p> <p>19 A. That is correct.</p> <p>20 MR. SATTERLEY: May I approach, Your</p> <p>21 Honor?</p> <p>22 THE COURT: You may.</p> <p>23 (Passing document)</p> <p>24 Q. Dr. Longo, is this a CV or resume</p> <p>25 that you put together? Is this your CV?</p>

<p style="text-align: right;">Page 173</p> <p>1 Q. Well, what you were saying is,</p> <p>2 "Well, looks to me like it has multiple fibers in</p> <p>3 a bundle." "Why do you say it's multiple fibers?"</p> <p>4 You said, "Well, it's because I can see it,"</p> <p>5 right?</p> <p>6 A. Yes, sir. Thinking being told it</p> <p>7 was a transmission electron microscopy.</p> <p>8 Q. And this image actually comes from</p> <p>9 an article that you and Mr. Satterley discussed</p> <p>10 earlier this morning, correct?</p> <p>11 A. That is correct.</p> <p>12 Q. And that article is -- I'll call it</p> <p>13 by the defense -- defense number, DX-9053. And if</p> <p>14 you go to page 48, do you see that? That's where</p> <p>15 this image comes from. The publication by the</p> <p>16 Bureau of Mines, right?</p> <p>17 A. That's correct.</p> <p>18 Q. And, in fact, that's cleavage</p> <p>19 fragment, not a bundle, right?</p> <p>20 A. According to Campbell, that's</p> <p>21 correct. But it's an optical -- it's an optical</p> <p>22 micrograph with an optical microscope. So it was</p> <p>23 not a TEM image as it was represented to me at the</p> <p>24 deposition.</p> <p>25 Q. The thing that you were saying, I</p>	<p style="text-align: right;">Page 174</p> <p>1 see all the specific fibers in there, that's a</p> <p>2 bundle, it's not a bundle, right?</p> <p>3 A. If I could have that image or I</p> <p>4 could have that sample, it may well be.</p> <p>5 Q. Actually, I think you testified</p> <p>6 later after you were asked about this more that</p> <p>7 there's nothing bundle about it?</p> <p>8 A. Looking at that photograph, that is</p> <p>9 true. But looking at it in a sample actually</p> <p>10 doing polarized light microscopy, it may well meet</p> <p>11 the definition.</p> <p>12 Q. I want to change topics to try to</p> <p>13 keep us moving along.</p> <p>14 A. Yes, sir.</p> <p>15 Q. All right. I want to -- I want to</p> <p>16 talk a little bit now about historical testing and</p> <p>17 testing results and the like, okay?</p> <p>18 And you mentioned that you have done some</p> <p>19 work testifying both for plaintiffs and for some</p> <p>20 defendants, correct?</p> <p>21 A. Yes, sir.</p> <p>22 Q. So one of the things we're going to</p> <p>23 be talking about a good bit in this section is</p> <p>24 some things that you've said when you were</p> <p>25 testifying for a particular defendant called</p>
<p style="text-align: right;">Page 175</p> <p>1 Scott's.</p> <p>2 And you're -- you recall the work that you</p> <p>3 did for Scott's, right?</p> <p>4 A. Yes, sir. It was Scott's</p> <p>5 Fertilizer Company. And it was a product that</p> <p>6 they manufactured called Turf Builder.</p> <p>7 Q. Okay. And for identification, I'm</p> <p>8 going to mark a copy of your report -- well, I</p> <p>9 guess we're not marking demonstratives. I'm just</p> <p>10 going to hand you a copy of the report so you have</p> <p>11 it.</p> <p>12 (Passing document)</p> <p>13 Q. So to orient us, Scott's, that</p> <p>14 company that you were working for -- working at</p> <p>15 the request of the attorneys for, at the time had</p> <p>16 a vermiculite product, right?</p> <p>17 A. Yes.</p> <p>18 Q. And vermiculite can be contaminated</p> <p>19 with low levels of asbestos or Libby amphiboles,</p> <p>20 correct?</p> <p>21 A. Yes, sir. It has a tremolite solid</p> <p>22 solution series, accessory mineral specifically</p> <p>23 for the Libby Montana, the vermiculite mines in</p> <p>24 Libby, Montana.</p> <p>25 Q. Some of those accessory minerals</p>	<p style="text-align: right;">Page 176</p> <p>1 may be richterite or winchite?</p> <p>2 A. Well, they're all part of the</p> <p>3 tremolite solid solution series. They used to</p> <p>4 always be called sodic tremolite or just tremolite</p> <p>5 asbest. Even W. R. Grace. But then it got</p> <p>6 subclassified down.</p> <p>7 Q. And one of the things that you</p> <p>8 offered opinions about in the Scott's case was the</p> <p>9 reasonableness of what they were doing to test</p> <p>10 their product back in the 1970s, right?</p> <p>11 A. Yes, sir.</p> <p>12 Q. And if we can call up slide 51. I</p> <p>13 think we've already talked a little bit about an</p> <p>14 industry standard in the cosmetics industry called</p> <p>15 J4-1 that involved some testing by methods that</p> <p>16 include -- been something XRD and something called</p> <p>17 PLM. And that's something you're familiar with,</p> <p>18 right?</p> <p>19 A. Yes.</p> <p>20 Q. And back in the 1970s, Scott's, the</p> <p>21 testing that they were having done for them, was</p> <p>22 using those two methods, the XRD and the PLM,</p> <p>23 right?</p> <p>24 A. That is correct.</p> <p>25 Q. And one of the things you said back</p>

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<p>1 at that time is that testing with those two 2 methods was the industry standard for asbestos 3 analysis at that time, and provided Scott's with a 4 reasonable basis to believe that consumer use of 5 their Libby vermiculite products did not cause any 6 significant exposure, correct? 7 A. That's what I stated, yes. 8 Q. And you also said that any 9 suggestion that some of these independent 10 laboratories, or Scott's, should have had the 11 knowledge or foresight to do further testing -- 12 and I'm skipping a few words to -- with ATEM after 13 negative results with XRD and optical microscopy 14 in the 1970s is not reasonable or scientifically 15 valid, right? 16 A. That is absolutely correct, for 17 Scott's -- 18 Q. Okay. 19 A. -- Fertilizer Company. 20 Q. And you also pointed out one of the 21 reasons why you thought -- now, they did not do -- 22 or did not have done for them TEM work, right? 23 A. That's correct. 24 Q. Okay. And I think you believe that 25 TEM is the most sensitive method to look for</p>	<p>1 asbestos in trace quantities, correct? 2 A. It is. I asked them why they did 3 not -- they relied on their outside labs. And 4 McCrone was their primary lab. McCrone didn't 5 advise them to use TEM. 6 Q. Okay. Actually what you said is, 7 "One of the problems in the 1970s was that there 8 were very few, if any, ATEMs in commercial 9 laboratories that had the appropriate technology 10 to perform accurate trace amphibole contaminant 11 analysis," right? 12 A. And that's true. 13 Q. And you said that in defending 14 Scott's -- when you said that defending Scott's, 15 did you know that McCrone had a TEM? 16 A. Yes. McCrone had a TEM and that's 17 why I asked Ian Stewart, he was retired, why they 18 never told Scott's to do TEM when they had a TEM. 19 And Ian Stewart says, "Because there was nothing 20 there. We didn't think it was necessary." 21 So you're asking a fertilizer company, 22 depending on other -- other -- other consultants 23 to be able to determine that. That's why I stated 24 when they were using PLM and XRD, they were doing 25 the appropriate analysis.</p>
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<p>1 And the second part of this is, the 2 vermiculite from Libby, Montana, nobody is 3 disputing that it has asbestos in it. We're not 4 looking at, like, cosmetic talc. We know we were 5 starting with an asbestos-containing material with 6 accessory minerals, well understood, and we were 7 looking at did their process reduce the amount of 8 asbestos. 9 So I stick to everything I say in there. 10 But you can't compare a fertilizer company to a 11 giant pharmaceutical company and what they should 12 have known or not known about using transmission 13 electron microscopy. That is just not fair. 14 Q. Okay. But you do know, if we go to 15 slide 54, you do know that Johnson & Johnson went 16 beyond the J-41 standard and beyond what Scott's 17 did and did have McCrone do TEM work for them? 18 A. Yes, sir. I know that -- well, I 19 know that after I got involved in this when all 20 the secret documents came out. 21 Q. Okay. 22 MR. DUBIN: Your Honor, move to strike 23 the nonresponsive portion of that answer. 24 MR. SATTERLEY: I'll object to that. 25 THE COURT: I'll allow him to say it.</p>	<p>1 You can further question him about it if you'd 2 like. 3 Q. Sir, my question is a simple one, 4 and I appreciate you responding to my questions 5 that I'm asking you. Is that okay? Will you do 6 that? 7 A. Yes, sir. I tried, when I get a 8 question, I tried to explain it in full. 9 Q. Okay. Did Johnson & Johnson go 10 beyond J4-1 and do -- have McCrone do TEM work for 11 them? 12 A. I thought I said yes. 13 Q. Okay. Thank you. 14 And I think you've already mentioned that 15 Scott's, the company that you were working for, 16 the attorneys for Scott's, the lab that they used 17 was McCrone, right? 18 A. Correct. 19 Q. The same McCrone? 20 A. Yes, sir. 21 Q. And in that context, you said when 22 you were representing the defendant, that McCrone 23 would have been a good choice in the 1970s for a 24 company to go to to test a product like talc? 25 Actually you said that in this -- in this context.</p>

<p style="text-align: right;">Page 325</p> <p>1 the time that you have had with the witnesses that 2 we've had thus far. I just want to say that 3 hasn't occurred. 4 MR. SATTERLEY: And I -- 5 THE COURT: So you're saying if you 6 take 10 minutes and then I'm going to let them 7 take three or four hours, that's not going to 8 happen. 9 MR. SATTERLEY: I wasn't suggesting 10 that, Your Honor. What I'm suggesting is if we 11 start at 9:30 and I turn the witness over at 9:40 12 and they cross-examine till 11 and I still have a 13 treating doctor, my -- the decedent, 49 minutes, 14 and within that there's cross-examination within 15 that. 16 THE COURT: I understand. 17 MR. SATTERLEY: And the treating 18 doctor. 19 THE COURT: So if I give you till 20 2 o'clock, I've basically given you the time you 21 asked me for when we started this conversation. 22 MR. SATTERLEY: Assuming the 23 cross-examination is short. That's the assumption 24 that -- 25 THE COURT: Right. But, again, you</p>	<p style="text-align: right;">Page 326</p> <p>1 made decisions when Dr. Egilman was on the stand 2 to talk about a lot of things. And, again, that's 3 your decision. 4 MR. SATTERLEY: Okay. 5 THE COURT: I'm giving you basically 6 what you asked me for in terms of time. I will 7 not -- I can tell you I won't allow them to 8 cross-examine any witness double the time that 9 they're on or that will be accounted for. I will 10 allow them to build in there some 11 cross-examination. And I have differed from the 12 schedule somewhat. 13 MR. SATTERLEY: I understand. 14 THE COURT: Mostly in your -- in your 15 favor in terms of giving you more time and taking 16 time away from them. 17 MR. SATTERLEY: I understand, Your 18 Honor. 19 THE COURT: All right. I'll see 20 you-all in the morning. 21 *** *** *** 22 23 24 25</p>
<p style="text-align: right;">Page 327</p> <p>1 STATE OF KENTUCKY 2 COUNTY OF JEFFERSON 3 I, NANCY L. NUNNELLEY, RMR, Notary Public, 4 State of Kentucky at Large, do hereby certify that 5 the foregoing deposition was taken at the time and 6 place stated in the caption; that the appearances 7 were as set forth in the caption; that prior to 8 giving their testimony the witness was first duly 9 sworn by me, that said testimony was taken down by me 10 in stenographic notes and thereafter reduced under my 11 supervision to the foregoing typewritten pages and 12 that said typewritten transcript is a true, accurate 13 and complete record of my stenographic notes so 14 taken. 15 I further certify that I am not related by 16 blood or marriage to any of the parties hereto and 17 that I have no interest in the outcome of captioned 18 case. 19 My commission as Notary Public expires July 10, 20 2023. 21 Given under my hand this the 24th day of 22 July, 2019, at Louisville, Kentucky. 23 24 25 NOTARY PUBLIC</p>	